

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

JUSTIN CORNELL,
Petitioner,

v.

Civil No. 3:21cv593 (DJN)

HAROLD CLARKE, DIRECTOR, V.D.O.C.,
Respondent.


ORDER
(Denying Motion to Dismiss)

In accordance with the accompanying Memorandum Opinion, it is hereby ORDERED
that:

1. The Motion to Dismiss (ECF No. 7) is DENIED WITHOUT PREJUDICE;
2. Withing thirty days (30) of the date of entry hereof, Respondent shall PROVIDE the Court with an update on the status of Cornell's Petition for a Writ of Habeas Corpus filed with the Supreme Court of Virginia. Additionally, within thirty (30) days of the date of entry hereof, Respondent shall state whether he has any objection to responding to Cornell's Proposed First Amended Petition. (ECF No. 14.) and,
3. Cornell's Motions for Stay and Abeyance (ECF Nos. 13, 16) are DENIED.

Let the Clerk file a copy of the Order electronically and send a copy to Cornell and
counsel of record.

It is so ORDERED.

/s/ 

David J. Novak
United States District Judge

Richmond, Virginia
Dated: August 22, 2022